

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>RAS Citron, LLC</b> 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 470-321-7112 Attorneys For Secured Creditor <b>Nationstar Mortgage LLC d/b/a Mr. Cooper</b>  Aleisha C. Jennings, Esq. (AJ-2114)	CASE NO.: 19-27530-MBK  CHAPTER 13  <b>Objection to Confirmation of Debtor's Chapter 13 Plan</b>
<b>In Re:</b>  <b>Charles Specht, dba Charles J Specht &amp; Sons, LLC,  Debtor.</b>	

### **OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Nationstar Mortgage LLC d/b/a Mr. Cooper ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 2), and states as follows:

1. Debtor, Charles Specht dba Charles J Specht & Sons, LLC, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 12, 2019.
2. Secured Creditor holds a security interest in the Debtor's real property located at 42 West Dory, Little Egg Harbor, NJ 08087, by virtue of a Mortgage recorded on June 27, 2005 in Book 12681, at Page 0212 of the Public Records of Ocean County, NJ. Said Mortgage secures a Note in the amount of \$203,000.00.
3. The Debtor filed a Chapter 13 Plan on September 12, 2019.
4. The Plan proposes to cure Secured Creditors claim through sale of the subject property. Debtor's Plan appears to be speculative as it is silent as to what efforts have been undertaken to sell the property. Additionally, there are no filings on the case docket with respect to an application of sale. The Plan is also silent as to an alternative treatment in the event that a sale is not consummated.

5. Furthermore, the Plan fails to state that Secured Creditor is to be paid in full via sale of the subject property. Debtor is obligated to fund a Plan which is feasible to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C § 1322(b)(5). Therefore, in the event that any sale of subject property efforts is not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C § 1325(a)(1).

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC  
Attorney for Secured Creditor  
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By: /s/Aleisha C. Jennings  
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**CERTIFICATION OF SERVICE**

1. I, Aleisha C. Jennings, represent Nationstar Mortgage LLC d/b/a Mr. Cooper in this matter.
2. On September 27, 2019, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below: Objection to Confirmation of Debtor's Chapter 13 Plan
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

September 27, 2019

RAS Citron, LLC  
Attorney for Secured Creditor  
130 Clinton Road, Suite 202  
Fairfield, NJ 07004  
Telephone Number 470-321-7112

By: /s/Aleisha C. Jennings  
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<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Lavery & Sirkis 699 Washington St Suite 103 Hackettstown, NJ 07840	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
Charles J Specht dba Charles J Specht & Sons, LLC 114 Rake Factory Road Flemington, NJ 08822	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
U.S. Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)